

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

DR. MORGAN REYNOLDS on behalf of the  
UNITED STATES OF AMERICA,

Plaintiff,

V.

SCIENCE APPLICATIONS INTERNATIONAL CORP.; APPLIED RESEARCH ASSOCIATES, INC.; BOEING; NuSTATS; COMPUTER AIDED ENGINEERING ASSOCIATES, INC.; DATASOURCE, INC.; GEOSTAATS, INC.; GILSANZ MURRAY STEFICEK LLP; HUGHES ASSOCIATES, INC.; AJMAL ABBASI; EDUARDO KAUSEL; DAVID PARKS; DAVID SHARP; DANIELE VENEZANO; JOSEF VAN DYCK; KASPER WILLIAM; ROLF JENSEN & ASSOCIATES, INC.; ROSENWASSER/GROSSMAN CONSULTING ENGINEERS, P.C.; SIMPSON GUMPERTZ & HEGER, INC.; S.K. GHOSH ASSOCIATES, INC.; SKIDMORE, OWINGS & MERRILL, LLP; TENG & ASSOCIATES, INC.; UNDERWRITERS LABORATORIES, INC.; WISS, JANNEY, ELSTNER ASSOCIATES, INC.; AMERICAN AIRLINES; SILVERSTEIN PROPERTIES; and UNITED AIRLINES.

Defendants.

Case No. 07CV4612  
(GBD)

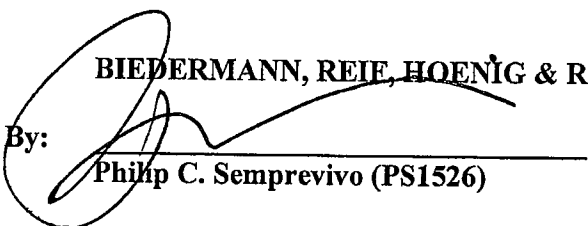
**NOTICE OF MOTION FOR  
RULE 11 SANCTIONS**

PLEASE TAKE NOTICE that, upon the attached Memorandum of Law In Support Of Motion For Rule 11 Sanctions, pursuant to Rule 11(c) of the Federal Rules of Civil Procedure, Defendant UNDERWRITERS LABORATORIES, INC. now moves this Court, before the Honorable George B. Daniels, U.S.D.J., for an order imposing sanctions against Plaintiff's Counsel, Jerry V. Leaphart and the Law Offices of Jerry V. Leaphart & Assoc., P.C. for the conduct of Plaintiff's counsel. Rule 11(c), Fed. R. Civ. P.

Plaintiff's Counsel submitted obvious misrepresentations and allegations unsupported by fact or law and brought for an improper purpose, to this Court in the instant *qui tam* COMPLAINT filed by Dr. Morgan Reynolds ("Reynolds"). Plaintiff's Counsel has had the opportunity to correct or otherwise withdraw the Complaint but has failed to do so. Accordingly, Defendant UNDERWRITERS LABORATORIES, INC. respectfully requests that this Court impose against Plaintiff's Counsel and law firm penalties sufficient to deter future conduct of like nature. Specifically, since Plaintiff's claims are all factually groundless or legally frivolous, Defendant UNDERWRITERS LABORATORIES, INC. requests that this Court impose sanctions against their attorneys and law firm under Rule 11. Moreover, since the Complaint was brought for an improper purpose, the sanctions should take the form of an award of attorney's fees to UNDERWRITERS LABORATORIES, INC.

In support of Defendant UNDERWRITERS LABORATORIES, INC.'s motion, a memorandum of law is filed herewith.

Dated: New York, New York  
November 8, 2007

  
By: **BIEDERMANN, REIE, HOENIG & RUFF, P.C.**  
**Philip C. Semprevivo (PS1526)**

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Laboratories, Inc*

**CERTIFICATION OF SERVICE**

I hereby certify that on November 9, 2007, our office electronically served the Relator and all other parties who as of that date had appeared in the action, copies of the following documents pursuant to Underwriters Laboratories, Inc.'s Motion for Rule 11 Sanctions: Notice of Motion for Rule 11 Sanctions; Certification of Philip C. Semprevivo; Memorandum of Law In Support of Motion for Rule 11 Sanctions by Defendant, Underwriters Laboratories, Inc.; and corresponding Exhibits to Memorandum of Law In Support of Motion for Rule 11 Sanctions.

I hereby certify that on November 12, 2007, our office mailed hardcopies of the Corresponding Exhibits to the Memorandum of Law In Support of the Motion for Rule 11 Sanctions to the Relator's Counsel via federal express mail.

I hereby certify that on December 7, 2007, I electronically filed the foregoing Notice of Motion with the Clerk of Court using the CM/ECF system, which will send notification of filing to the following e-mail addresses:

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And I hereby certify that I have mailed or served the document or paper to the following non-CM/ECF participants by U.S. Mail, first class, postage prepaid and addressed to the following:

None.

Dated: December 7, 2007

BIEDERMANN, REIF, HOENIG & RUFF, P.C.

By. 

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